

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

SEP 28 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DEBORAH RUSSELL, individually and on
behalf of others similarly situated,

Plaintiff-Appellant,

v.

WALMART, INC., a Delaware corporation,

Defendant-Appellee.

No. 23-16062

D.C. No. 4:22-cv-02813-JST
Northern District of California,
Oakland

ORDER

Before: LEE and VANDYKE, Circuit Judges.

The motion to take judicial notice in support of the motion to stay (Docket Entry No. 16) is granted.

The motion to stay appellate proceedings (Docket Entry No. 5) is denied without prejudice to reconsideration by the panel assigned to decide the merits of the appeal.

The motion to extend time to file the opening brief (Docket Entry No. 13) is granted in part. The opening brief and excerpts of record are due November 2, 2023. The answering brief is due December 4, 2023. The optional reply brief is due within 21 days after service of the answering brief.